



## Senate

General Assembly

**File No. 346**

January Session, 2005

Substitute Senate Bill No. 916

*Senate, April 14, 2005*

The Committee on Environment reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING PESTICIDES AT DAY CARE FACILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-79a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) As used in this section, "pesticide" means a fungicide used on  
4 plants, an insecticide, a herbicide or a rodenticide but does not mean a  
5 sanitizer, disinfectant, antimicrobial agent or a pesticide bait, and  
6 "lawn care pesticide" means a pesticide registered by the United States  
7 Environmental Protection Agency and labeled pursuant to the federal  
8 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and  
9 ornamental sites or areas.

10 (b) [On and after July 1, 2000, no] No application of pesticide may be  
11 made in any building or on the grounds of any child day care center,  
12 group day care home or family day care home, each as described in  
13 section 19a-77, during regular business hours except that an

14 emergency application may be made to eliminate an immediate threat  
15 to human health if (1) it is necessary to make the application during  
16 regular business hours, and (2) such emergency application does not  
17 involve a restricted use pesticide, as defined in section 22a-47. No child  
18 enrolled at such center or home may enter an area where pesticides  
19 have been applied until it is safe to do so according to the provisions  
20 on the pesticide label.

21 (c) No person shall apply a lawn care pesticide on the grounds of  
22 any child day care center or group day care home, as described in  
23 section 19a-77, except that an emergency application may be made to  
24 eliminate an immediate threat to human health, including, but not  
25 limited to, the elimination of mosquitoes, ticks and stinging insects,  
26 provided such emergency application does not involve a restricted use  
27 pesticide, as defined in section 22a-47.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	19a-79a

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect
Public Health, Dept.	GF - None

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect
Various Municipalities	None

**Explanation**

Passage of this bill may result in an increased workload to the Department of Public Health and local health authorities. This would involve advising child day care centers and group day care homes about the use of lawn care pesticides, investigating complaints and pursuing disciplinary actions as warranted. It is anticipated that state and municipal officials will be able to accommodate these duties within their normally budgeted resources.

As of April 1, 2005, there were 1,590 child day care centers and 52 group day care homes licensed in Connecticut.

**OLR Bill Analysis**

sSB 916

***AN ACT CONCERNING PESTICIDES AT DAY CARE FACILITIES*****SUMMARY:**

Current law restricts the use of pesticides on the buildings or grounds of child day care centers, and group and family day care homes. This bill specifically prohibits the application of lawn care pesticides on the grounds of any child day care center or group day care home except to eliminate an immediate threat to human health, including mosquitoes, ticks, and stinging insects.

It bans, even in emergency situations, the application of a restricted use pesticide, on the grounds of such facilities. A restricted use pesticide is any pesticide the U. S. Environmental Protection Agency (EPA) or the commissioner classifies as restricted.

By law and under the bill, pesticides are fungicides used on plants, insecticides, herbicides, or rodenticides, but not sanitizers, disinfectants, antimicrobial agents, or pesticide baits. Under the bill, a lawn care pesticide is any pesticide registered by the EPA and labeled according to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) for lawn, garden, and ornamental use.

EFFECTIVE DATE: October 1, 2005

**BACKGROUND*****Pesticide Application at Day Center Centers***

The law prohibits anyone from applying pesticides in the building or on the grounds of any child day care center, or group or family day care home during regular business hours, unless it must be applied during those hours to eliminate an immediate human health threat. No restricted use pesticide may be used in such an emergency. No child may enter the day care center or day care home until the provisions on the pesticide label indicate it is safe to do so.

***Child Day Care Centers and Group Day Care Homes***

Child day care centers provide care to more than 12 children. Group day care homes provide care to between seven and 12 children. A family day care home cares for six or fewer children.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 28      Nay 0